No. O. Lease Land
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File No. O. Lease Land Vehicles / 49

Legal Department

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Subject: — Opinions under the Lease Land Vehicles Control Order 1943

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C O N T E N T S.

Legal Department File No. O. Lease Land Vehicles/49.

Nr. No.	R.I./O.MD.	Subject.	Pages.
		Opinions under the Lease Land Vehicles Control Order, 1943.	
1.	O. No. 4836. 18.4.1945.	Whether the agreements known as mileage unit agreements are still in force.	

Legal Department.

Strictly speaking, the mileage unit agreements will continue to be operative until they are duly terminated by Government as provided in clause III thereof. However, as the conditions imposed by these agreements are in addition to those under the Lease /Lend Vehicles Control Order, 1943, the intention was to allow the discharge of these agreements as soon as the Order itself lapsed. Consequently it would not be proper, if not illegal, to hold that these agreements are still enforceable. Moreover, no time limit is specified in these agreements and it appears from the letter of the Provincial Transport Officer at p.1 ante that most of the lease/lend vehicles have gone out of commission and a don not bear even the identity marks. It may, therefore, be contended that the performance of the contract has become impossible as only a matter of fact and consequently these agreements are discharged. In the circumstance, it would be desirable to treat these agreements as no longer surviving.

Sd/- J.R.Dhurandar.
19-4
Additional Secretary to Government.

U.R. to H.D. No. 4836 dated the 19th April 1949.

H.D./6-6